



ATTORNEY DOCKET NO. 60188-121
PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Sadashige SUGIURA, et al.) Group Art Unit: 2811
Serial No.: 09/994,936) Examiner: SHOUXIANG HU
Filed: November 28, 2001)
For: SEMICONDUCTOR DEVICE AND)
TESTING METHOD THEREFOR)

ELECTION UNDER 35 U.S.C. § 121

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED
MAY 23 2002
TECHNOLOGY CENTER 2800

Sir:

In response to the restriction requirement set forth in the Office Action mailed April 23, 2002, having a shortened statutory period for response set to expire May 23, 2002, wherein the Examiner required restriction between Group I - claims 1-12, drawn to a semiconductor device, and Group II, claims 13-18, drawn to a method of making a semiconductor device, Applicants elect without traverse, Group I - claims 1-12, for initial prosecution on the merits. Please cancel claims 13-18 without prejudice.

Applicants also reserve the right to file a Divisional Application for the non-elected claims 13-18, which the Examiner has indicated is patentably distinct.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have

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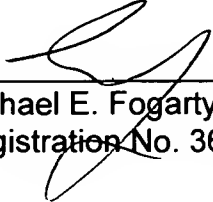
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inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417.

Respectfully submitted,

McDERMOTT, WILL & EMERY

Date: 5/21/02

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